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Date: August 19, 2021

To: **COMMISSIONERS AND INTERESTED PERSONS**

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Subject: **STAFF RECOMMENDATION ON CITY OF OCEANSIDE MAJOR
AMENDMENT NO. LCP-6-OCN-19-0146-3 (Transit Overlay District) for
Commission Meeting of September 8-10, 2021**

SYNOPSIS

The subject Local Coastal Program (LCP) implementation plan amendment was submitted and filed as complete on August 20, 2020. A one-year time extension was granted on December 9, 2020. As such, the last date for Commission action on this item is December 30, 2021. The request is one part of a batched submittal from the City of Oceanside that will affect both the certified LCP land use and implementation plans. The second component, LCP-6-OCN-19-0147-3 (Coast Highway Corridor) is tentatively scheduled for the Commission's November 2021 hearing.

SUMMARY OF AMENDMENT REQUEST

The amendment involves several revisions to Article 12 (D Downtown District) of the City's certified Implementation Plan. The primary modifications include: 1) expansion of the boundaries of the Transit Overlay District (TOD) from approximately 1/8 of a mile from the Oceanside Transit Center to within 1/2 mile, 2) addition of mixed-use development as an allowed use to a number of Downtown Subdistricts, 3) revision of the maximum density for mixed use developments located within the D Downtown District from 43 dwelling units per acre to a general cap of 5,500 units total, 4) requirement of residential and mixed-use development projects to comply with City inclusionary housing regulations, and 5) revision of the inclusion of tandem parking from permitted through a Conditional Use Permit, to permitted for residential uses and designated employee parking areas.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending the Commission first reject the Implementation Plan (IP) amendment as submitted and then approve with suggested modifications. The Commission may reject IP amendments only if the amendment would be inconsistent with the certified Land Use Plan (LUP) or render the IP inadequate to carry out the LUP.

While the overall goals and policies of the proposed amendment, to increase the density of residential and mixed-use pedestrian-oriented development in proximity to alternate transit, align closely with the goals and policies of the certified LUP and the Coastal Act, the Commission has identified two proposed changes that could result in significant impacts to public access and cannot be found consistent with the LUP.

As proposed, the density cap of 43 dwelling units per acre (DU/A) will be eliminated for mixed-use developments within the City's D Downtown District. Density will be determined through the application of other regulations including height, setbacks, open space, and parking requirements. The intent of this revision is to provide additional residential units while maintaining existing building standards. This revision will therefore not result in concerns regarding potential view impacts, adequate setbacks, or community character; however, facilitating greater density is likely to increase traffic. Although the City did not complete a full traffic analysis, traffic is anticipated to increase as mixed-use projects come forward, which could adversely impact public access to several important coastal amenities within the Downtown District, including popular beaches, Oceanside Harbor and Marina, the Municipal Pier, and the public outdoor amphitheater (Band Shell). Absent a full traffic analysis, some additional mitigation measures need to be included in the LCP amendment to protect access to the beach via various roadways within the Downtown District. City and Commission staff discussed ways in which to address this concern and have developed a Traffic Monitoring and Mitigation Plan included as Suggested Modification No. 2. This modification requires the City to monitor traffic on primary coastal access routes, identify a threshold by which mitigation measures will be implemented to address any identified access impacts and require funding, or a fair share program, for developments to fund the implementation of identified mitigation measures.

Additionally, as proposed the City's Transit Overlay District (TOD) would be expanded from 1/8 of a mile from the Oceanside Transit Center to 1/2 of a mile. The proposed TOD provides two parking allowances; one that permits on-street parking spaces available on the contiguous street frontage of a site to be counted toward the total number of parking spaces required for the residential component of any mixed-use development. The second allows mixed-use developments to receive a parking reduction of up to 25% based upon proximity to the Oceanside Transit Center, demonstrated varied peak demand for parking, and project amenities that encourage alternate travel modes. While these parking allowances are appropriate within the inland portions of the TOD, the allowances should not be supported in areas that are also providing necessary public beach parking. The City's LCP protects all beach parking located west of the railway corridor. Given this, the Commission considers any public parking located west of the railway as prime public beach parking, and the parking reductions or counting of existing on-street public parking provided by the TOD are not appropriate within prime beach parking areas. Suggested Modification No. 1 would therefore prohibit the application of the parking allowances for any development located west of the railway corridor. Suggested Modification No. 1 further requires that any prime public beach parking removed within the Downtown District (on-street or within public parking lots) be replaced west of the railway corridor and within the Downtown District. This revision ensures that the number of existing public parking spaces located within the prime beach parking areas of the Downtown District are maintained in perpetuity.

It is only through the inclusion of these suggested modifications that adequate protection of coastal resources can be assured and thus be found consistent with and adequate to implement the City's certified LUP. City staff indicated agreement with the suggested modifications.

The appropriate motions and resolutions begin on Page 5. The suggested modifications begin on Page 7. The findings for denial of the Implementation Plan Amendment as submitted begin on Page 8. The findings for approval of the plan, if modified, begin on Page 12.

BACKGROUND

In July 1993 the Commission certified the Transit Overlay District as a part of the Implementation Plan within the City's Downtown area (ref. Oceanside LCP 2-93). At that time the Transit Overlay District was established to allow non-residential development within the district to use adjoining on-street parking to fulfill their on-site parking requirements and to also allow such projects to receive a potential 25% parking requirement reduction based upon proximity to the Oceanside Transit Center, demonstrated varied peak demand for parking, and project amenities that would encourage alternate travel modes. The amendment request was approved as submitted but included a number of findings as to how these parking revisions could be found consistent with the requirements of the City's certified LUP to protect and provide public access to the coast and ocean, including the importance of the Oceanside Transit Center to provide alternate forms of travel, the fact that the TOD was located no closer than three blocks from the ocean and due to the large parking reservoir within the former Redevelopment Area both at downtown and beach locations.

ADDITIONAL INFORMATION

Further information on the City of Oceanside LCP Amendment No. LCP-6-OCN-19-0146-3 may be obtained from Toni Ross, Coastal Planner, at (619) 767-2370 or SanDiegoCoast@coastal.ca.gov.

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EXHIBITS

- [Exhibit 1 – Resolution No. 19-R0562-1](#)
- [Exhibit 2 – Ordinance No. 19-OR0593-1](#)
- [Exhibit 3 – Text Revisions in Strike-Out/Underline](#)
- [Exhibit 4 – Expanded TOD](#)
- [Exhibit 5 – Major Coastal Access Routes](#)

I. OVERVIEW

A. LCP HISTORY

The City of Oceanside first submitted its Land Use Plan (LUP) to the Commission in July 1980, and it was certified with suggested modifications on February 19, 1981. This action, however, deferred certification on a portion of the San Luis Rey River valley where an extension of State Route 76 was proposed. On January 25, 1985, the Commission approved with suggested modifications the resubmitted LUP and Implementing Ordinances. The suggested modifications for this approval were related to the guaranteed provision of recreation and visitor-serving facilities, assurance of the safety of shorefront structures, and the provision of an environmentally sensitive routing of the proposed Route 76 east of Interstate 5. The suggested modifications to the Zoning/Implementation phase resulted in ordinances and other implementation measures that were consistent with the conditionally certified LUP policies.

With one exception, the conditionally certified LUP and Implementing Ordinances were reviewed and approved by the City on May 8, 1985. The City requested that certification be deferred on one parcel adjacent to Buena Vista Lagoon designated by the City for "Commercial" use; the Commission's suggested modification designated it as "Open Space." On July 10, 1985, the Commission certified the City's LCP as resubmitted by the City, including deferred certification on the above parcel.

B. STANDARD OF REVIEW

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

II. MOTIONS AND RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

1. MOTION:

I move that the Commission reject the Implementation Program Amendment for the City of Oceanside, as submitted.

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Oceanside and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

2. MOTION:

I move that the Commission certify the Implementation Program Amendment for the City of Oceanside if it is modified as suggested by the staff recommendation.

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the Implementation Program Amendment for the City of Oceanside if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment, with the suggested modifications, conforms with and is adequate to carry out the certified Land Use Plan. Certification of the Implementation Program Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

- 1) Modify Section 1232 – D District Property Development Regulations, Subsection (W), parking standards within the D District, as follows:

[...]

4. Within the Transit Overlay District east of the railway corridor the number of on-street parking spaces available on the contiguous street frontage of a site may be counted toward the total number of parking spaces required for a non-residential Mixed-Use Development Plan.

5. Mixed-Use Development Plans within the Transit Overlay District east of the railway corridor may receive a parking requirement reduction of up to 25% based upon all of the following criteria: a) proximity to the Oceanside Transit Center, b) demonstrated varied peak demand for parking, and c) project amenities that encourage alternate travel modes.

6. If any public parking spaces are removed within the Transit Overlay District west of the railway corridor, including those provided in municipal parking lots, each space shall be replaced at a 1:1 ratio and all replacement parking shall also be located within the Transit Overlay District west of the railway corridor.

- 2) Add the following to the end of Section 1232 – D District Property Development Regulations, Additional Regulation (KK) as follows:

A Mixed-Use Development Plan shall be required for any mixed-use development combining multiple nonresidential land uses or nonresidential and residential land uses on a project site, to set forth site specific property development regulations. Article 12, Section 1232 – Property Development Regulations for Residential and Nonresidential uses – shall serve as a general guide for mixed-use development standards. Project deviations from development standards shall be established, evaluated and may be granted in accordance with this subsection (KK) and 1232 D.5., based upon the merits of the mixed-use development plan.

Height shall be regulated by the maximum height allowed in the Subdistrict as set forth in the Additional Development Regulations sub-section (N). Floor-area ratio and maximum density limits are not applicable to the residential component of a mixed-use development.

While the maximum density is not specified, density will be limited through the application of height, setbacks, open space, and parking requirements. In order to

ensure that the higher-density allowance does not adversely impact traffic circulation, the City shall develop and implement a D Downtown District Traffic Monitoring and Mitigation Plan that includes the following:

- a. Identify specific intersections within the Downtown District's Coastal Zone to monitor to maintain public access to the coast, including east-west oriented roadways that provide access across the railway corridor to the ocean.
- b. List specific traffic mitigation measures to be provided once a certain threshold is met for the identified intersections. A decrease in LOS to a grade of D or lower shall be one of the identified thresholds for implementation of traffic mitigation measures.
- c. Identify a funding mechanism to implement the identified mitigation measures (e.g., fair-share contribution for any development proposed within the Downtown District). The collected fees shall be deposited in a specific account that can only be used for traffic mitigation measures and other measures to mitigate public access impacts (e.g., to fund a community shuttle) in the Downtown District.

Traffic monitoring shall be completed on an annual basis at minimum and must include peak summer season (Memorial Day weekend to Labor Day) weekend traffic counts, identify changes to the number of units developed within the Downtown District, traffic impacts identified, traffic impact fees collected, traffic mitigation projects identified, and traffic mitigation projects implemented. A comprehensive report shall be provided to the Executive Director on by November 1 of each year, starting in 2022, that summarizes all development activities within the Downtown District with a report on any measurable changes in the overall traffic and parking conditions in the area which will be subject to the review and approval of the Executive Director.

IV. FINDINGS FOR REJECTION OF THE CITY OF OCEANSIDE IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The amendment involves several revisions to Article 12 (D Downtown District) of the City's certified Implementation Plan. The primary modifications include: 1) expansion of the boundaries of the Transit Overlay District (TOD) from approximately 1/8 of a mile from the Oceanside Transit Center to within 1/2 mile, 2) addition of mixed-use development as an allowed use to a number of Downtown Subdistricts, 3) revision of the maximum density for mixed use developments located within the D Downtown District from 43 dwelling units per acre to a general cap of 5,500 units total, 4) requirement of residential and mixed-use development projects to comply with City inclusionary housing regulations, and 5) revision of the inclusion of tandem parking from permitted through a Conditional Use Permit, to permitted for residential uses and designated employee parking areas.

B. SUMMARY FINDINGS FOR REJECTION

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP. The City of Oceanside's LUP contains a number of provisions that protect adequate access to and along the coast and requires the City to deny any project which diminishes public access to the shoreline, degrades coastal aesthetics, or precludes adequate urban services for coastal-dependent, recreation, or visitor serving uses. As proposed, parking requirements would be reduced for mixed use developments located within the City's TOD area, including the allowance to count on-street public parking spaces towards parking requirements for development proposals. Thus, there is the potential that residents of mixed-use developments will usurp public parking spaces and reduce the public's ability to gain access to the coast and ocean. Additionally, the amendment will revise the density maximum for mixed-use developments from 43 dwelling unit per acre to no specific cap, although there would be a cap of 5,500 total units within the D Downtown District. Instead, density will be determined by other regulations including height, setbacks, open space minimums, etc. This revision will result in increased density, and may result in significant traffic impacts, which will further reduce the public's ability to access the City's coastal amenities and ocean, also inconsistent with the requirements of the LUP.

C. SPECIFIC FINDINGS FOR REJECTIONS

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

a) Purpose and Intent of the Ordinance.

The purpose of Article 12 is to provide regulations for development within the City's D Downtown District to promote the long-term viability of and rejuvenation of the Downtown District, maintain and enhance an appropriate mix of uses, and provide land-use controls and development criteria consistent with the General Plan, the Redevelopment Plan, and the Land Use Plan.

The purpose of the Transit Overlay District is to provide an alternative to traditional development by emphasizing a pedestrian-oriented environment and reinforcing the use of public transportation. The clustering of land uses within a pedestrian-friendly area connected to transit provides for growth with reduced environmental costs.

b) Major Provisions of the Ordinance.

Major provisions of Article 12 – D Downtown District – identify allowable land uses and provide specific development regulations, including regulations for the Transit Overlay District. The D Downtown District is broken into fifteen subdistricts, each with its own specific land uses including residential, commercial, mixed-use, and boating and water-dependent activities; and secondarily other public-oriented recreation uses in the Oceanside Small Craft Harbor and Pier complex.

The major provisions of the Transit Overlay District are two parking allowances for mixed-use developments. The first allows the number of on-street parking spaces available on the contiguous street frontage of the site to be counted toward the total number of parking

spaces required for a non-residential Mixed Use Development Plan. The second provision allows Mixed-Use Development Plans within the Transit Overlay District to receive a mixed-use parking requirement reduction of up to 25% based upon the following criteria: a) proximity to the Oceanside Transit Center, b) demonstrated varied peak demand for parking, and c) project amenities which encourage alternate travel modes.

c) Adequacy of the Ordinance to Implement the Certified LUP Segments.

The City's LCP contains a number of applicable land use policies, which state:

I. Coastal Access

Objective: Adequate access to and along the coast shall be provided and maintained.

VII. New Development and Public Works

1. The City shall deny any project which diminishes public access to the shoreline, degrades coastal aesthetics, or precludes adequate urban services for coastal-dependent, recreation, or visitor serving uses.
2. The City shall promote development of a high level of transportation facilities, public services and amenities in the Coastal Zone as a means for reducing energy consumption and vehicle miles traveled. Such actions include:
 - a. Support continued high levels of North County Transit District Services to all portions of the Coastal Zone.
 - b. Support expansion and upgrading of Amtrak service, commensurate with need, but oppose the proposed bullet train because of unmitigable effects on Coastal Zone resources.
 - c. Encourage preservation of existing and development of new neighborhood commercial uses such as markets, banks and small retail stores.
 - d. Support development of a wide variety of private and public recreational and tourist facilities which can attract and serve both visitors and residents.
 - e. Encourage continued development of bicycle and pedestrian facilities per the LCP access policies.

II. Recreation and Visitor Serving Facilities

24. The City shall continue to work with the California Department of Transportation, North County Transit District and other affected agencies to improve alternatives to private automobile use, including public transit (bus and other means), bicycle and pedestrian travel, and multi-modal combinations (e.g., park-n-ride, shuttle service).

As proposed, multiple sections of Article 12 - D Downtown District - will be revised, including that the maximum density for the residential component of a mixed-use development of 43 dwelling units per acre will no longer apply. Instead, density will be

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determined through the application of a 5,500 unit maximum for the entire Downtown District, as well as regulations for height, setbacks, and open space.

The amendment also proposes to expand the Transit Overlay District (TOD), which would expand the area eligible for two specific parking allowances. These allowances include 1) counting existing on-street public parking spaces as a part of the parking required for the residential component of mixed-use developments, and 2) a general 25% reduction in parking requirements for mixed-use development located near the Oceanside Transit Center that can demonstrate varied peak demand for parking and include project amenities that encourage alternate travel modes.

The City's staff report indicates that the proposed revisions are intended to facilitate further revitalization in the Downtown area and provide developers with the tools necessary to build successful projects all while contributing to the City's housing, economic and community development goals. The report further indicates that the removal of the density cap is necessary given that only approximately 2,300 residential units exist in the Downtown District today, and land availability is sparse, thus the continued application of the 43 dwelling units per acre density limit, on a parcel-by-parcel basis, could prevent development of the "critical mass" of residential development that was anticipated to contribute and support downtown's land use framework. The report goes on to state that the expansion of the TOD should be supported given that the existing TOD boundaries adjacent to the Oceanside Transit Center (OTC) are currently limited to no more than 1/8 mile from OTC and fall short of serving smart growth objectives. As expanded, the TOD will capture areas of the Downtown District within 1/2 mile from the OTC facility boundaries in order to provide parking benefits to projects within that radius to decrease auto dependency, create opportunities for affordable housing and act as a catalyst for private investment and development.

However, the D Downtown District also provides a number of important coastal recreational opportunities and amenities including Oceanside Pier, the Junior Seau Beach Community Center, the Band Shell – a highly popular public outdoor amphitheater, sunset market, farmers markets, the Oceanside Transit Center, and world-famous beaches, as well as a number of hotel developments and restaurants. Generally, the City of Oceanside's tourist industry yielded \$301.5 million in 2020 and \$415 million in 2019 and supports over 3,500 tourist-industry job opportunities (see www.visitoceanside.org).

The City of Oceanside is unique in that the downtown area overlaps with some of the highest-visited coastal amenities and beaches. The City's LCP includes a number of provisions that both protect visitors' and residents' use of and access to the shoreline, as well as policies that promote density in areas with transportation options to promote the use of alternate transit and reduce vehicle miles traveled. Thus, a balance between adequate protection of coastal access and recreation, and promotion of alternate transit is necessary for any proposed amendment affecting the downtown area to be determined as consistent with the requirements of the LCP.

Regarding the removal of the density cap of 43 dwelling units per acre, this proposed revision cannot be found consistent with the LCP because it may result in significant impacts to public access through the generation of increased traffic. As proposed, the

number of residential units could increase from the existing 2,300 units to as high as 5,500 units. The City has indicated that no traffic analysis has been undertaken to determine how an additional 3,200 units would impact traffic. The City has indicated that larger projects (34 units and above) will have to undergo individual traffic analyses but there is no mechanism to review smaller scale projects or cumulative impacts as development of the Downtown District continues. Access to the beach from major traffic corridors such as interstate-5 is structurally impaired as many of the east/west roadways end at the crossing of the railway. The only roads within the Downtown District that connect from I-5 to the beach include Surfrider Way, Mission and Wisconsin ([ref. Exhibit No. 5](#)). Because of this, traffic is often funneled to these roads creating a bottleneck effect on critical beach accessways. Absent a full traffic analysis, some traffic monitoring program or other protection for these primary coastal access routes must be identified. As proposed, public access cannot be ensured inconsistent with the certified LCP.

Regarding the expanded TOD, the TOD currently includes approximately 15 blocks within the D Downtown District spanning north to south from Civic Center Drive to Mission and east to west from Coast Highway to the railway corridor, as well as the three blocks developed with the Oceanside Transit Center ([ref. Exhibit No. 4](#)). Currently no portion of the TOD is located near the beach. In 1993, when the TOD was first certified as a part of the City's LCP, the staff report included specific findings that the TOD could only be approved because it was not located in close proximity to the beach (ref. Oceanside LCP 2-93). However, as proposed the expanded TOD includes all parcels within ½ mile of the Oceanside Transit Center are permitted to be developed with mixed-use development. Based on this, the TOD will be expanded by approximately seventeen additional city blocks, four of which are located west of the railway corridor and currently provide public beach parking. If the parking reductions are applied within these four blocks, it may result in significant impacts to public access, inconsistent with the requirements of the certified LCP.

V. FINDINGS FOR APPROVAL OF THE CITY OF OCEANSIDE IMPLEMENTATION PLAN AMENDMENT, IF MODIFIED

As detailed above, there are LUP consistency concerns raised by the City's amendment request. Specifically, the proposed revisions may result in significant impacts to public access by allowing on-street public beach parking that should be maintained for visitors and beachgoers to be used to satisfy residential parking and by increasing traffic on several important coastal access roads resulting from the elimination of the 43-dwelling unit per acre density cap.

Notwithstanding the potential parking and traffic impacts, the Commission acknowledges the amendment is otherwise consistent with the provisions of the certified LCP. Specifically, the LCP requires that the City promote development of a high level of transportation facilities, public services, and amenities in the Coastal Zone as a means for reducing energy consumption and vehicle miles traveled. As noted, the Oceanside Transit Center is an important transportation facility and a focal point for regional transportation plans to reduce the reliance on automobile use. An average of 800 passengers (residents and visitors) utilize the transit center daily and because of the transit center, there are fewer cars competing for parking spaces and fewer vehicle miles traveled, and congestion

and air pollution are reduced, consistent with this LCP provision (Amtrak Fact Sheet, FY2010, State of California).

Additionally, unlike other coastal communities in San Diego County, the City has a large public parking reservoir along the shoreline. The City of Oceanside provided a list of the existing public parking spaces within the Downtown District; and, as noted, there are 667 spaces open and available for public use. Of these, 246 are located west of the railway and are highly used by members of the public to visit Oceanside's pier, coast, and beaches. Additionally, the Oceanside Transit Center includes parking structures that provide an additional 707 parking spaces and are located immediately east of the railway. A recent parking study determined that most of these lots reach utilization capacity (80%) on holidays and peak weekends ([City of Oceanside, California - 2019 Downtown Parking Study](#)¹). Therefore, the Commission acknowledges that the combination of the transit center and existing public parking helps provide access to the beach while simultaneously providing critical alternate transit opportunities. However, the revisions proposed by the subject amendment would significantly reduce on-street public parking opportunities and may result in a significant increase in traffic within primary beach access routes. Therefore, it is necessary to provide a better balance between the promotion of high-density and transit-oriented development and the ability of the public to access and recreate along the coast in order for the amendment request to be found consistent with all applicable policies of the certified LUP.

To address the impacts to public parking resulting from the expansion of the TOD, Suggested Modification No. 1 clarifies that the two parking allowances apply only to mixed-use developments east of the railway. As modified, the parking areas west of the railway used most often by visitors and beachgoers will continue to serve that function.

To ensure that the existing parking reservoir within the downtown area is maintained, Suggested Modification No. 1 further requires that any public parking spaces removed within the Transit Overlay District west of the railway corridor shall be replaced at a 1:1 ratio and located within the Transit Overlay District west of the railway corridor. This includes on-street parking as well as any parking lots, garages, etc. that provide public parking opportunities. The inclusion of this modification will ensure the parking reservoir within the Downtown District and specifically within the TOD is maintained in perpetuity.

Regarding the public access impacts resulting from likely increased traffic, Commission staff has been working with the City to address the potential impacts to public access. Initially, the Commission requested the City provide a traffic analysis assuming full "built-out" allowed for in the proposed amendment. Build-out would be based upon existing regulations including height, setbacks, open space, and parking requirements. However, the City responded that build-out based upon these standards would be hard to calculate and would not likely reflect any future density scenarios. According to the City, actual build-out of the Downtown District would likely change over time and reflect current market trends; highest-density developments would have smaller units, and the market for small

¹ City of Oceanside Downtown Parking Action Plan dated July 30, 2019 prepared by Dixon Resources Unlimited.

sized units is likely to change over time. Therefore, to better address traffic impacts, ongoing monitoring of development would need to be provided. In response, the City and Commission staffs have developed a long-term traffic monitoring and mitigation plan, which is included as Suggested Modification No. 2. The modification requires that the City undergo annual review of development and traffic flow within the Downtown District to identify if/when significant traffic impacts occur. Included in the plan is the identification of key intersections within the Downtown District to monitor including the east-west oriented streets that provide direct connection from Interstate-5 to the coast.

The modification further requires that when any of the identified intersections are reduced to a Level of Service (LOS) grade of D or lower, specific mitigation measures will be implemented. As defined by the North American highway LOS standards in the Highway Capacity Manual (HCM) an LOS grade can be defined as a qualitative measure used to relate the quality of motor vehicle traffic service. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measures like vehicle speed, density, congestion, etc. The City indicated, based off their internal review, that most of the intersections likely to be utilized as part of this requirement are currently LOS grade of C, or a stable flow, at or near free flow. This is the target LOS for some urban and most rural highways. An LOS grade of D indicates the intersection is approaching unstable flow. Examples include busy shopping corridors in the middle of a weekday, or a functional urban highway during commuting. Therefore, Suggested Modification No. 2 would require the City to identify and begin implementation of mitigation measures as soon as an intersection approaches unstable flow, and prior to any significant impacts to public access. Specific mitigation measures that could be implemented could range from the construction of a traffic light or a dedicated turn lane, or implementation of a community shuttle.

To help fund the mitigation measures, Suggested Modification No. 2 further requires that the City identify a funding mechanism(s), such as a fair-share fee, and that the collected fees be used only for traffic mitigation measures to mitigate for public access impacts within the Downtown District.

Traffic monitoring will be completed on an annual basis including monitoring during peak summer season (Memorial Day weekend to Labor Day) weekend traffic counts, identification of any changes to the number of units within the Downtown District, traffic impacts identified, traffic impact fees collected, traffic mitigation projects identified, and traffic mitigation projects implemented. A comprehensive report will be provided to the Executive Director on an annual basis that will summarize all development activities within the Downtown District with a report on any measurable changes in the overall traffic and parking conditions in the area. Annual reports are to be provided by November 1, beginning in 2022. To ensure that traffic monitoring and implementation of mitigation measures are providing adequate protection to public access within the D Downtown District, the annual monitoring reports will be subject to the review and approval of the Executive Director.

Regarding the requirement for inclusionary housing within the D Downtown District, staff is not proposing any suggested modifications. Projects within the Downtown District (Redevelopment Project Area) have historically been exempted from the Inclusionary

Housing Ordinance provisions, in order to incentivize development within Downtown and to avoid double-charging projects as, historically, revenue to fund affordable housing development was collected via Redevelopment housing set aside funds. However, in 2011 the legislature dissolved all Redevelopment Agencies within the state. As a result, the portion of tax increment previously collected by Oceanside's Redevelopment Agency and set aside for development of affordable housing no longer accrues for that purpose. Under the proposed ordinance, residential and mixed-use development within the Downtown District would need to comply with the City's Inclusionary Housing Ordinance provisions (constructed on-site or by payment of in lieu fees). The City's certified LUP does not contain any policies pertaining to inclusionary housing, and therefore, the proposed amendment is not inconsistent with the City's certified LUP regarding such housing. The certified LUP does contain policies that support maximum public access to the shoreline; and inclusionary housing supports access for all incomes in the coastal zone. Further, Coastal Act Section 30604(g) directs the Commission to encourage the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

Regarding the added Residential and Non-Residential Mixed-Use developments to the D Downtown District Land Use Matrix, this revision can be found consistent with the Land Use Plan because mixed use developments are already envisioned within the identified subdistricts. What is being revised is the way mixed-use developments are reviewed. Currently, mixed-use developments are approved through issuance of a Conditional Use Permit. As revised, mixed-use development are permitted by right but subject to the approval of a Mixed-Use Development Plan. Mixed-Use Development Plans are required to be consistent with the LUP and ensures that there are no significant impacts to traffic, that shading of adjacent land will not significantly increase, and that the benefits derived from the Mixed-Use Development Plan include but are not limited to traffic capture and pedestrian activity, by way of "active" street frontages and provision of flexible nonresidential use spaces at street level, where appropriate.

Therefore, the Commission finds the implementation plan, as suggested to be modified, conforms with and is adequate to carry out the certified Land Use Plan.

VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP submission.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. In this particular case, the LCP amendment, with incorporation of the suggested modifications, will not have any significant adverse effects on the environment and no significant coastal resource impacts are anticipated. The suggested modifications

will ensure that development occurs consistent with LCP provisions, including those related to protection of public access and priority uses. Therefore, the Commission finds that the subject IP, as modified, conforms with CEQA.